

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:

**CRYSTAL HILL
1517 BAY STREET
NASHVILLE, TN 37208**

**CASE NO. 3:17-bk-02548
CHAPTER 13
JUDGE: MASHBURN**

**Debtor:
SSN: XXX-XX-2334**

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: *January 26, 2020*
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: *February 5, 2020, at 8:30a.m., Customs House, 701 Broadway, Room 100, Nashville, TN 37203*

NOTICE OF MOTION TO UTILIZE INSURANCE PROCEEDS

Crystal Hill has asked the court for the following relief: **The Debtor wishes to utilize insurance proceeds to pay off the lien holder and requests the remaining funds to be disbursed directly to her in order to use as a down payment to purchase another vehicle.**

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to grant the attached motion by entering the attached order, or if you want the court to consider your views on the motion, then on or before **the response date stated above**, you or your attorney must:

1. File with the court your written response or objection explaining your position. Please note: The Bankruptcy Court for the Middle District of Tennessee requires electronic filing. Any response or objection you wish to file must be submitted electronically. To file electronically, you or your attorney must go to the court website and follow the instructions at: <https://ecf.tnmb.uscourts.gov>

If you need assistance with Electronic Filing, you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: 701 Broadway, 1st Floor, Nashville, TN (Monday – Friday, 8:00 A.M. – 4:00 P.M.)

2. Your response must state the deadline for filing responses, the date of the scheduled hearing and the motion to which you are responding.

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. ***THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.*** You may check whether a timely response has been filed by viewing the case on the court's web site at www.tnmb.uscourts.gov.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter the attached order granting that relief.

Date: January 3, 2020.

/s/ Mark Podis

Mark R. Podis #012216

Attorney for Debtor

1161 Murfreesboro Rd Ste 300

Nashville, TN 37217

(615) 399-3800 Telephone

(615) 399-9794 Facsimile

Email-podisbankruptcy@aol.com

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MOTION TO UTILIZE INSURANCE PROCEEDS

Comes now the Debtor, by and through the undersigned counsel, and gives notice to the Court of the Debtor's intention to utilize insurance proceeds to pay off the lienholder for her 2016 Volkswagen Jetta Sedan. Debtor requests that the remaining funds to be forwarded directly to her in order to use as a down payment to purchase another vehicle, and in support thereof would show unto the Court as follows:

1. Debtor's 2016 Volkswagen Jetta Sedan, VIN#: 3VW267AJ9GM208549 was totaled in an auto accident on November 14, 2019.
2. **Farmers Insurance**, Po Box 108815, Oklahoma City, Ok 73101-8815, claim #7000666699-1-3, is prepared to pay total loss settlement in the amount of \$9,968.39.
3. **Insolve Auto Funding**, Po Box 64090, Tuscan, AZ 85728-4090, **is the lienholder for said vehicle.**
4. Debtor requests that settlement proceeds be paid to the lien holder, **Insolve Auto Funding**, PO Box 64090, Tuscan, AZ 85728-4090, in order to pay off the vehicle.
5. Debtor requests that any remaining proceeds be sent directly to the debtor in order to be used as a down payment to purchase another vehicle.

6. **Insolve Auto Funding** shall release the lien and title to **Farmer Insurance**, upon entry of Order on this motion.

WHEREFORE, Debtor respectfully prays that an Order be entered allowing:

1. **Farmers Insurance**, Po Box 108815, Oklahoma City, Ok 73101-8815, claim #7000666699-1-3, is prepared to pay total loss settlement in the amount of \$9,968.39.
2. Settlement proceeds are to be paid directly to the lien holder, **Insolve Auto Funding**, Po Box 64090, Tuscan, AZ 85728-4090, in order to pay off the vehicle.
3. Remaining proceeds are to be sent directly to the debtor to be used as a down payment to purchase another vehicle.
4. **Insolve Auto Funding** shall release the lien and title to **Farmer Insurance**, upon entry of Order on this motion.
5. NOTICE IS PROVIDED TO CREDITORS. FAILURE TO OBJECT TO THIS MOTION MEANS YOU ACCEPT THIS TREATMENT.

Respectfully Submitted,

/s/ Mark Podis

Mark R. Podis #012216
Attorney for Debtors
1161 Murfreesboro Road Ste 300
Nashville, Tennessee 37217
Telephone (615) 399-3800
Facsimile (615) 399-9794
Email-podisbankruptcy@aol.com

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been delivered to the Chapter 13 Trustee, P.O. Box 340019, Nashville, TN 37203 and the U.S. Trustee, 701 Broadway, 3rd Floor, Nashville, TN 37203, mailed to Debtor, **Crystal Hill**, 1517 Bay Street, Nashville, TN 37208, and mailed to, **Farmers Insurance**, Attention: Total Loss COE, Po Box 108815, Oklahoma City, Ok 73101-8815, claim #7000666699-1-3, **Insolve Auto Funding**, Po Box 64090, Tuscan, AZ 85728-4090, mailed to all creditors and parties in interest, on this the *3rd day of January, 2020*. Copies have been sent via CM/ECF @ <http://ecf.tnmb.uscourts.gov>.

/s/ Mark Podis

Mark R. Podis

A TOTAL OF 41 COPIES HAVE BEEN SENT TO CREDITORS ON ATTACHED CREDITOR LIST.